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To: Examiner: C. Collins Telephone Number: 571/272-0794

Group Art Unit: 1638

Facsimile No.: 703/872-9306

From: James J. Kelly, Ph.D. Registration No.: 41,504

Telephone Number: 703/412-7058

Date: April 13, 2004

RE: U.S. Application Serial Number: 09/477,730

Filed: January 5, 2000

Attorney Docket Number: 4859-0029-0

TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: 10

COMMENTS

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Attorney

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James J. Kelly, Ph.D.

OSMM&N File No. 4859-0029-0Dept.: CHEMICALBy: NFO/JK/ledSerial No. 09/477,730In the matter of the Application of: Koichi SUGITA, et al.For: NOVEL VECTOR FOR INTRODUCING A GENE INTO A PLANT USING A SELECTABLE MARKERDue Date: N/A

- Dep. Acct. Order Form
- Amendment Cover Letter
- Amendment and Request for Reconsideration

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Docket No. 4859-0029-0

IN RE APPLICATION OF: Koichi SUGITA, et al.

SERIAL NO: 09/477,730

FILED: January 5, 2000

FOR: NOVEL VECTOR FOR INTRODUCING A GENE INTO A PLANT USING A SELECTABLE MARKER

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☐ Additional documents filed herewith:

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	4	MINUS	26	0	x \$18 =	\$0.00
INDEPENDENT	1	MINUS	3	0	x \$86 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$290 =	\$0.00
		TOTAL OF ABOVE CALCULATIONS				\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00
		TOTAL				\$0.00

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(OSMMN 05/03)

Docket No. 4859-0029-0

IN RE APPLICATION OF: Koichi SUGITA, et al.

SERIAL NO: 09/477,730

FILED: January 5, 2000

FOR: NOVEL VECTOR FOR INTRODUCING A GENE INTO A PLANT USING A SELECTABLE MARKER

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DOCKET NO: 4859-0029-0

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
KOICHI SUGITA, ET AL. : EXAMINER: C. COLLINS  
SERIAL NO: 09/477,730 :  
FILED: JANUARY 5, 2000 : GROUP ART UNIT: 1638  
FOR: NOVEL VECTOR FOR INTRODUCING A GENE INTO A PLANT USING A  
SELECTABLE MARKER

AMENDMENT AND REQUEST FOR RECONSIDERATION

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Office Action dated December 24, 2003, and supplemental to the response filed on March 23, 2004, Applicants respectfully request reconsideration of the above-identified application in view of the following amendments and remarks.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

A discussion of the **Support for the Amendments** begins at page 4 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.